

Statement from a spokesperson for Victoria Police

Case 1: Incorrect arrest of 18-year old man following a police ramming (5/4/2016)

On 5 April 2016, Victoria Police arrested a man in Heidelberg Heights in relation to a police ramming that occurred nearby. Although it was later determined he was not the offender, the first responding officers incorrectly believed the 18-year old man matched the offender description. Following the arrest a complaint was made to Victoria Police alleging excessive force, which was later withdrawn. The 18-year-old man also declined the opportunity to make an official statement. Despite this an independent regional manager from Victoria Police conducted an internal investigation to review the matter. As part of the investigation the circumstances surrounding the incident were reviewed and written statements were obtained by attending police officers. Based on the available information, the investigative officer was unable to determine if any criminal or disciplinary behaviour occurred. The complainant and his family were advised of the outcome of the investigation, were given advice on next steps should they wish to re-activate the complaint and provided a single point of contact if they have any concerns. The final investigation report was submitted to Professional Standards Command and the investigation is deemed complete.

Re dog bowl

The 18-year-old man was provided after care following the use of OC spray. Officers used water from a tap at nearby house to wash the man's face. It is not known whether they put the water into a bowl to provide this after care.

Re incorrect arrest

Situations like this are extremely dynamic and police are acting on real-time information. From time to time police make mistakes, which is what occurred when the 18-year-old was incorrectly arrested on 5 April 2016..

Case 2: Allegations a bystander was assaulted by police and the video of the alleged incident was wiped from the bystander's phone from police (22/4/2018)

This is an active Professional Standards Command investigation. The Senior Constable and Sergeant involved in the alleged incident have been transferred to other duties while the investigation is taking place. We are unable to provide any further information as the investigation is ongoing.

Case 3: Police officer assaults offender at Geelong Police Station (11/1/2013)

The community has every right to expect to be treated in a fair and professional manner when dealing with police. In the 2013 incident, this clearly did not happen. Make no mistake, this is not the manner in which we expect our officers to behave. We do not condone violence. That is why the incident was thoroughly investigated by Professional Standards Command and the officer was charged with the criminal offence of recklessly cause injury. All available information and evidence

was heard in an open court. The charges were proven and the officer was fined \$500 and placed on a good behaviour bond without conviction. Victoria Police subsequently charged the officer with a discipline offence relating to the assault and his employment was considered by a hearing officer. There is no doubt the CCTV footage was confronting and was considered by the hearing officer, however Victoria Police must take into account a range of factors such as the court verdict, character references and relevant employment law when making a decision about an officer's ongoing employment. After considering all of these matters a 12-month good behaviour bond, in line with the court decision, was determined appropriate internal disciplinary action. The officer has since resigned from Victoria Police in January 2018. The community should be assured that Victoria Police is committed to continually improving our internal processes for investigating complaints against its officers. Since 2013 a number of new processes have been introduced, including an independent hearing officer (non-Victoria Police) overseeing all internal disciplinary matters and IBAC oversight complaints investigated by Victoria Police.

Re suspension

The police officer was suspended with pay once he was charged on 31 December 2014. He remained suspended until the court hearing and internal disciplinary hearing concluded approximately 12 months later.